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OFFICE OF PETITIONS

In re Application of	:
CORBIN	: DECISION
Application No. 09/663,779	: GRANTING-IN-PART
Filed: September 15, 2000	: PETITION
Attorney Docket No. 35-21(51376)b	:

This is a decision on the petition filed September 15, 2000 under 37 CFR 1.183 requesting waiver of 37 CFR 1.821(c) which requires a paper copy of the sequence listing for this case.

The petition is granted to the extent indicated below, subject to prompt renewal within TWO MONTHS of this mailing. See 37 CFR 1.181(f).

Petitioner asserts the paper copy of the sequence listing would exceed 5,500 pages, and seeks waiver of the requirement for a paper copy.

While the separate requirement for a sequence listing under 37 CFR 1.821(c) may not be waived *per se*, as each application must be complete in of itself pursuant to 37 CFR 1.4, it is noted that in the interim, effective November 7, 2000 (see 65 F.R. 54604 at 54620 (Sept. 8, 2000) the USPTO has adopted 37 CFR 1.52(e) which permits the submission of sequence listings in either paper or CD-ROM format, as part of the specification. That is, submitting the sequence listing in the specification may now be done either by way of paper or CD-ROM. See 37 CFR §§ 1.52(e); 1.821(c). Accordingly, the petition is granted to the extent that petitioner may avail himself of the rules now in effect governing the medium for the sequence listing in the specification.

This application is being forwarded to Technology Center AU 1632 to await the submission of the sequence listing in compliance with the rules now in effect. This requires, *inter alia*, 2 copies on a CD-Rom, in addition to the CRF of record.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-1820.

A handwritten signature in black ink, appearing to read "Brian Hearn", with a long horizontal flourish extending to the right.

Brian Hearn
Senior Petitions Examiner
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for Patent Examination Policy